PARAGRAPH 6.

ALL MALE WORKERS OTHER THAN workers of the classes specified in paragraphs 1 to 5 of this Schedule —

	AREA A The respective areas are defined in paragraph 29. Per hour		AREA B Per hour	
	(a)	(b)	(a)	(b)
	s. d.	s. d.	s. d.	s. d.
Workers under 16 years of age	—	1 1	—	1 0
,, 16 and under 17 years of age ...	1 2½	1 1¾	1 1½	1 0¾
,, 17 ,, ,, 18 ,, ,, ...	1 4½	1 4	1 3¼	1 2¾
,, 18 ,, ,, 19 ,, ,, ...	1 8	1 6	1 6½	1 4½
,, 19 ,, ,, 20 ,, ,, ...	2 0	1 9	1 10¼	1 7½
,, 20 ,, ,, 21 ,, ,, ...	2 1½	1 10¾	1 11½	1 9
,, 21 years of age and over ...	2 5	2 2½	2 3	2 0¾

PIECE WORK BASIS TIME RATES

MALE WORKERS

	AREA A The respective areas are defined in paragraph 29. Per hour	AREA B Per hour
	s. d.	s. d.
PARAGRAPH 16. MALE WORKERS OTHER THAN LAPPERS, MEASURERS, SAMPLE MAKERS, WAREHOUSE ASSISTANTS, OR WAREHOUSE CLERKS, AND WORKERS OPERATING MACHINES IN THE SWISS EMBROIDERY BRANCH OF THE TRADE	2 5¼	2 3¼
PARAGRAPH 17. MALE WORKERS OPERATING SWISS EMBROIDERY MACHINES —		
(a) For workers employed on single machines having two or three tiers	2 9½	2 9½
(b) For workers employed on single machines having four tiers or on any coupled machines	2 11½	2 11½"

THE LINEN AND COTTON HANDKERCHIEF AND HOUSEHOLD GOODS AND LINEN PIECE GOODS WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1953, DATED 18TH NOVEMBER, 1953, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1953. No. 161

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland)

(1) the wages regulation proposals set out in the First Schedule hereto, being proposals for requiring workers in relation to whom the Council operates to be allowed holidays by their employers, and for fixing holiday remuneration to be paid by their employers to those workers in substitution for the holidays provided and holiday remuneration fixed by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1951 (a) (hereinafter

(a) S. R. & O. 1951, No. 215.

in this Order referred to as " Order N.I.H.H.G. (110) ") as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order, 1952 (**a**) (hereinafter in this Order referred to as " Order N.I.H.H.G. (116) "), and

(2) the wages regulation proposals set out in the Second Schedule hereto, being proposals for amending the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation Order, 1951 (**b**) (hereinafter in this Order referred to as " Order N.I.H.H.G. (108) ") as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Amendment) (No. 3) Order, 1952 (**c**) and the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1953 (**d**) which fixes the minimum remuneration to be paid by their employers to workers in relation to whom the Council operates ;

NOW, THEREFORE, the Ministry by virtue of section 10 of the Wages Councils Act (Northern Ireland), 1945, and of every other power in that behalf hereby makes the following Order :—

Holidays, holiday remuneration and statutory minimum remuneration.

1. As from the specified date the workers to whom the Schedules to this Order apply shall be entitled to be allowed the holidays and paid the holiday remuneration and statutory minimum remuneration specified therein.

Commencement.

2. In this Order the expression " the specified date " means the 1st day of January, 1954. Provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression " the specified date " means, as respects that worker, the beginning of the next such period following that date.

Short title, interpretation and revocation.

3.—(1) This Order may be cited as the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953.

52 and 53 Vict., Ch. 63.

(2) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) As from the specified date Order N.I.H.H.G. (110) and Order N.I.H.H.G. (116) are hereby revoked, and as from that date

(**a**) S. R. & O. 1952, No. 61. (**b**) S. R. & O. 1951, No. 188.
(**c**) S. R. & O. 1952, No. 159. (**d**) S. R. & O. 1953, No. 105.

Order N.I.H.H.G. (108), as amended, shall have effect subject to the further amendment set out in the Second Schedule to this Order.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this eighteenth day of November, nineteen hundred and fifty-three, in the presence of

(L.S.) *A. E. Goodbody,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

FIRST SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

PART I

APPLICATION

PARAGRAPH 1.

(1) This Schedule applies to every worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) For the purposes of this Schedule an out-worker is a worker who works in his own home or in any other place not under the control or management of the employer.

PART II

CUSTOMARY HOLIDAYS

PARAGRAPH 2.

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereinafter referred to as a "customary holiday") in each year on the days specified in the following sub-paragraph provided that the worker has been in his employment for a period of not less than eight weeks immediately preceding the holiday and has worked for the employer during the whole or part of that period and is in his employment on the day of the holiday.

(2) The said customary holidays are :—

Christmas Day (or, if Christmas Day falls on a Sunday, such other weekday as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday and Easter Tuesday.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or a young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon and, in lieu of any holiday on which he so works, the worker shall be entitled to be allowed a day's holiday (hereinafter referred to as a "holiday in lieu of a customary holiday") on a weekday within the period of four weeks next ensuing.

(4) A worker who is required to work on a customary holiday shall be paid :—

(*a*) for all time worked thereon at the minimum rate then appropriate to the worker for work on a customary holiday ; and

(*b*) in respect of the holiday in lieu of the customary holiday, in accordance with paragraph 6 of this Schedule.

PART III

ANNUAL HOLIDAYS

PARAGRAPH 3.

(1) In addition to the holidays specified in Part II of this Schedule, an employer shall, between 1st June and 30th September, *1954*, and in each succeeding year between 1st June and 30th September (in this Schedule referred to as

" the holiday season "), allow a holiday (hereinafter referred to as " an annual holiday ") to every worker in his employment to whom this Schedule applies who was employed by him during the 12 months immediately preceding the commencement of the holiday season for any of the periods specified below, and the duration of the holiday shall be related to his period of employment during that 12 months as follows :—

A. Workers under 18 years of age when they enter the employment of the employer and under 19 years of age at the commencement of their first annual holiday—

Where the worker's normal working week is one of 6 days		*Where the worker's normal working week is one of 5 days or less*	
Period of employment	*Duration of holiday*	*Period of employment*	*Duration of holiday*
At least 24 weeks	*12 days*	*At least 24 weeks*	*10 days*
,, *20* ,,	*10* ,,	,, *19* ,,	*8* ,,
,, *16* ,,	*8* ,,	,, *14* ,,	*6* ,,
,, *12* ,,	*6* ,,	,, *10* ,,	*4* ,,
,, *8* ,,	*4* ,,	,, *5* ,,	*2* ,,
,, *4* ,,	*2* ,,		

Provided that this provision shall apply only to a worker who is in his first employment since leaving school and in respect of his first annual holiday allowed under this Schedule, or under the Schedule to Order N.I.H.H.G. (110) as amended by Order N.I.H.H.G. (116).

B. All other workers—

Where the worker's normal working week is one of 6 days		*Where the worker's normal working week is one of 5 days or less.*	
Period of employment.	*Duration of holiday.*	*Period of employment.*	*Duration of holiday.*
At least 48 weeks	*12 days*	*At least 48 weeks*	*10 days*
,, *44* ,,	*11* ,,	,, *43* ,,	*9* ,,
,, *40* ,,	*10* ,,	,, *38* ,,	*8* ,,
,, *36* ,,	*9* ,,	,, *33* ,,	*7* ,,
,, *32* ,,	*8* ,,	,, *28* ,,	*6* ,,
,, *28* ,,	*7* ,,	,, *24* ,,	*5* ,,
,, *24* ,,	*6* ,,	,, *19* ,,	*4* ,,
,, *20* ,,	*5* ,,	,, *14* ,,	*3* ,,
,, *16* ,,	*4* ,,	,, *9* ,,	*2* ,,
,, *12* ,,	*3* ,,	,, *4* ,,	*1 day*
,, *8* ,,	*2* ,,		
,, *4* ,,	*1 day*		

(2) Notwithstanding the provisions of the last foregoing sub-paragraph the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed in the aggregate *twice* the number of days constituting the worker's normal working week.

PARAGRAPH 4.

Annual holidays under this Schedule shall be allowed on consecutive *working* days, *being days on which the worker is normally required to work*, and days of holiday shall be treated as consecutive notwithstanding that a Sunday or a customary holiday or a holiday in lieu of a customary holiday intervenes.

Provided that, where the duration of an annual holiday to which a worker is entitled exceeds the period constituting the worker's normal working week, the said annual holiday may, by agreement between the employer and his workers or their representatives, be allowed in two separate periods of such consecutive working days if one of such periods is not less than the period constituting the worker's normal working

week, or failing such agreement, on application to and with the consent of the Council.

Any such application for the consent of the Council shall be made between the 1st day of March immediately preceding the holiday season and the 31st day of May in the same year.

PARAGRAPH 5.

An employer shall give to a worker notice of the commencing date *or dates* and duration of the period *or periods* of his annual holiday. Such notice shall be given at least 28 days before the first day of the annual holiday *or, where under the provisions of paragraph 4 of this Schedule an annual holiday is allowed in more than one period, before the first day of each separate period,* and may be given individually to the worker or by the posting of a notice in the place where the worker is employed.

PART IV

HOLIDAY REMUNERATION

A — CUSTOMARY HOLIDAYS

PARAGRAPH 6.

(1) For each day of customary holiday (including a customary holiday falling on a Saturday) to which a worker is entitled under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to the sum which would be payable to him by his employer if that day were not a day of customary holiday and he had worked thereon the number of hours normally worked by him on that day of the week and been paid —

(*a*) in the case of a time worker, at the rate of wages (being at least the appropriate general minimum time rate) paid to him by the employer immediately prior to the customary holiday ;

(*b*) in the case of a piece worker, at a time rate equal to the piece work basis time rate applicable to him,

provided that payment of the said holiday remuneration shall be subject to the condition that the worker (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer on the last working day on which work was available to him preceding the customary holiday, and on the first two working days on which work was available to him following the customary holiday, for the number of hours normally worked by him on each of those days.

(2) Where a worker normally works in the week on every weekday except Saturday, he shall be paid, in respect of any Saturday on which he would have been entitled to a customary holiday under Part II of this Schedule if it had been a day on which he normally worked, a sum equivalent to the holiday remuneration he would have been entitled to receive had he been allowed a holiday on that day.

(3) Holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay day on which the wages for the pay week including the second working day following the customary holiday are paid.

(4) Holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay day on which the wages for the pay week including the second working day following that holiday in lieu of a customary holiday are paid. Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed a holiday in lieu of a customary holiday to which he is entitled, and in that case the condition specified in sub-paragraph (1) of this paragraph shall not apply.

B — ANNUAL HOLIDAYS

PARAGRAPH 7.

(1) Subject to the provisions of paragraphs 8 and 9 hereof, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by the employer in respect thereof on the last pay day preceding such annual holiday

an amount equal to *one-twentyfifth* (*4 per cent.*) of the *total* remuneration which the worker was entitled to receive from his employer for work done in the period of twelve months immediately preceding the commencement of the holiday season in which the holiday is to be allowed, not being remuneration taken into account in connection with any previous payment of holiday remuneration.

(2) *Where, under the provisions of paragraph 4 of this Schedule, an annual holiday is allowed in two periods, the holiday remuneration shall be apportioned accordingly.*

PARAGRAPH 8.

Where, in accordance with paragraph 9 of this Schedule or under the provisions of Order N.I.H.H.G. (110), any accrued holiday remuneration has been paid by the employer to the worker in respect of employment during any of the periods referred to in that paragraph or that Order, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said periods shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule.

PARAGRAPH 9.

(1) If a worker ceases to be employed by an employer after the provisions of this Schedule become effective and before being allowed or entitled to be allowed an annual holiday, the employer shall immediately on the termination of the employment pay to the worker accrued holiday remuneration in accordance with the provisions of the next following sub-paragraph.

Provided that where a worker ceases to be employed after being allowed a part of the annual holiday for which he has qualified under this Schedule, but before being allowed the rest of that annual holiday, the accrued holiday remuneration payable to him on termination of his employment shall be reduced by the amount of holiday remuneration received by him in respect of the part of the annual holiday he has been allowed.

(2) Holiday remuneration shall accrue to a worker during the period of twelve months commencing on *1st June, 1953*, and thereafter in each successive period of twelve months commencing on 1st June and such accrued holiday remuneration shall *be calculated as follows* :

(*a*) *in respect of any period of twelve months ended on 31st May immediately preceding the termination of his employment,*

an amount equal to one-twentyfifth (4 per cent.) of the total remuneration (other than holiday remuneration) which the worker was entitled to receive from his employer for work done during that period ; and

(*b*) *in respect of any period of employment between such 31st May and the date of termination of his employment,*

an amount equal to one-twentyfifth (4 per cent.) of the total remuneration (other than holiday remuneration) which the worker was entitled to receive from his employer for work done during that period.

(3) Any accrued holiday remuneration payable under the provisions of this paragraph shall be reduced by the amount of accrued holiday remuneration already paid by the employer to the worker in pursuance of this Order or Order N.I.H.H.G. (110) in respect of the same period of employment or part thereof.

PART V.

GENERAL

PARAGRAPH 10.

For the purposes of calculating any period of employment entitling a worker to an annual holiday or to any accrued holiday remuneration under this Schedule, the worker shall be treated—

(*a*) as if he were employed for a week in respect of any week in which—

(i) he has worked for the employer for not less than three days and has performed some work to which statutory minimum remuneration applies;

provided that absence from work on the remaining days of the week is by permission of the employer ; or

(ii) he has been absent throughout the week by reason of proved illness or accident but not exceeding four weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season

provided that the worker returns to employment with the same employer on the termination of his period of absence through proved illness or accident ; or

(iii) he has been suspended throughout the week owing to shortage of work but not exceeding four weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season

provided that the worker returns to employment with the same employer on the termination of his period of suspension ; or

(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule.

PARAGRAPH 11.

Where any day of holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland), 1945, that holiday or half-holiday shall be treated as part of the holiday allowed under this Schedule.

PARAGRAPH 12.

In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" normal working week " means the number of days on which it has been usual for the worker to work in a week in the employment of the employer in the twelve months immediately preceding the commencement of the holiday season

provided that—

(i) part of a day shall count as a day ;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

" statutory minimum remuneration " means statutory minimum remuneration (other than holiday remuneration) which has been fixed by a Wages Regulation Order made by the Ministry pursuant to proposals submitted to it by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland).

" week " means " pay week."

PARAGRAPH 13.

The provisions of this Schedule are without prejudice to any agreement for the allowance of any further holidays with pay or for the payment of additional holiday remuneration.

SECOND SCHEDULE

STATUTORY MINIMUM REMUNERATION

Order N.I.H.H.G. (108), as amended, shall have effect as if, in the Schedule thereto, for paragraph 26 there were substituted the following paragraph —

" PARAGRAPH 26.

the expression " customary holiday " means —

Christmas Day (or, if Christmas Day falls on a Sunday, such other weekday as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday and Easter Tuesday."